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The 20 most psychologically intriguing legal cases

Professor Ewing's new book chronicles the search for truth and justice

From investigations into Lee Harvey Oswald's troubled adolescence to courtroom debates over Mike Tyson's violent tantrums, the 20 most psychologically intriguing legal cases of the past 50 years are chronicled in a new book coauthored by a University at Buffalo law professor and a clinical psychologist who is a graduate of the UB Law School.

In Minds on Trial: Great Cases in Law and Psychology (Oxford University Press, 2006) SUNY Distinguished Service Professor Charles Patrick Ewing, J.D., Ph.D., and Joseph T. McCann Psy.D., J.D., examine the sometimes bizarre and often intriguing workings of the human mind, as exposed by the legal system and by the

psychologists who worked on the cases. And they document examples of how the practice of psychology, and the use of psychologists as expert witnesses, can aid the search for truth or can be misused, sometimes with controversial results.

Both Ewing and McCann '94 are renowned forensic psychologists who have consulted on hundreds of criminal cases involving what they describe as "some of life's most fascinating and tragic figures," though neither Ewing nor McCann was involved in the cases described in the book.

The 20 cases selected for the book include in-depth descriptions of famous trials involving high-profile participants, such as Jeffrey Dahmer, Patty Hearst, John Hinckley, Woody Allen and heavy-metal rockers Judas Priest. Other cases offer glimpses into the minds of lesser known but very intriguing principals, such as George Metesky, a.k.a. the "Mad Bomber," sexual abuser Cameron Hooker, Andrea Yates, the Texas woman who drowned her five children, and alleged Nazi war criminal John Demjanjuk.

Some cases — like the one involving a dead naval officer accused of causing the accidental deaths of 46 fellow sailors on the USS Iowa — show the limitations of psychology in the search for the truth and highlight conflicts that sometimes arise between psychology and the legal system.

"The book shows the vital role psychology plays in so many aspects of the American system of justice," Ewing says. "Numerous cases hinge not on what a person did but why they behaved as they did, and that's a question psychology can help answer."

"These 20 cases address the most profound psychological questions posed by the legal system," he adds, "and often the answers are very far from clear cut."

Says McCann, "The book also documents how the use of psychology has changed over the years, from its use for more common issues like insanity and competency, to a broad range of issues, like the reliability of eye-witness testimony, the basis of memory and how it affects testimony, and the nature of family relationships in child custody cases."

The 20 cases were selected, the authors say, because they deal with extraordinary circumstances that defy human understanding, involve fascinating psychological issues that go to the heart of the search for truth or show how mental-health issues are central to the process of distributing justice fairly.

Below are brief descriptions of the 20 cases chronicled in the book:

George Metesky, Profiling the "Mad Bomber" — For 16 years Metesky planted homemade bombs around New York City and boasted of his crimes to the newspapers. Pursuit of Metesky and his capture in 1957 gave birth to criminal profiling, the authors say.

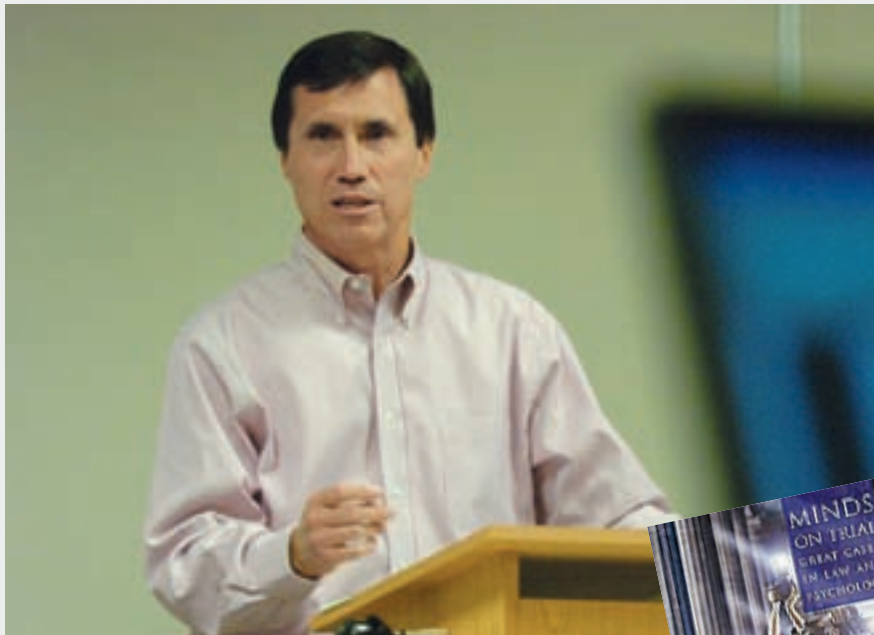
Lee Harvey Oswald, The Formative Years of an Assassin — From this fascinating account of an adolescent Oswald's psychiatric examinations, the authors question whether psychological intervention could have stopped Oswald from assassinating President Kennedy.

Patricia Hearst, Uncommon Victim or Common Criminal? — This famous trial brought the word "brainwash" and attorney F. Lee Bailey into public consciousness; it provides an interesting look at dueling expert witnesses who attempted to discern Hearst's state of mind.

The Guilford Four, "You Did It, So Why Not Confess?" — This extreme example of coerced confessions in the case of a 1974 IRA bombing in Guilford, England, points out that confessions may be unreliable as evidence, though juries are led to believe otherwise.

Prosenjit Poddar and Tatiana Tarasoff, Where the Public Peril Begins — This seemingly unremarkable case of unrequited love and murder

“ *The book shows the vital role psychology plays in so many aspects of the American system of justice.* —SUNY Distinguished Service Professor Charles Patrick Ewing, J.D., Ph.D. ”



spurred major changes in the law governing patient privacy and the responsibility of therapists to report potential violence.

Dan White, The Myth of the Twinkie Defense — Popular lore says White got away with murder because psychologists convinced a jury that his irrational behavior was caused by junk food, but the authors say Twinkies had little to do with the jury's decision.

Cameron Hooker, Judging the Experts — This bizarre case involving a sexual abuser and his strangely passive captive of seven years illustrates the power of mind control and coercion, and brings into question the credibility of “batting” expert witnesses.

John Hinckley Jr., Shooting for the Stars — Was President Reagan's would-be assassin mentally ill or just a narcissistic bum? This case is famous for Hinckley's bizarre obsession with actress Jodie Foster, the number of expert witnesses who assessed his sanity and its role in toughening legal standards for insanity.

Judas Priest, A Message in the Music — Did subliminal messages drive two fans to suicide? This case refocused debate over how media influences people's behavior and chilled other civil cases claiming subliminal influence.

John Demjanjuk, Is He “Ivan the

Terrible”? — This case involving the identity of an alleged Nazi war criminal living in the U.S. questioned the reliability of eyewitness testimony and examines the psychological factors that influence memory and eyewitness identification.

The USS Iowa, Equivocating on Death — This case involving a naval officer who died with 46 fellow sailors in a suspicious explosion was among the first cases to use a psychological autopsy — or equivocal death analysis — to try to discern the motives of the deceased.

Jeffrey Dahmer, Serial Murder, Necrophilia and Cannibalism — How could a jury judge one of history's most bizarre serial killers to be sane? The authors uncover whether Dahmer's childhood held clues for his inhumane behavior later in life.

Woody Allen and Mia Farrow, A Swing of King Solomon's Sword — This very public child custody and alleged child-abuse case — complicated by Allen's relationship with his 22-year-old adopted stepdaughter — shows why child custody cases are among the

most difficult faced by forensic psychologists.

Gary and Holly Ramona, Recovered Memories or False Allegations? — This civil trial of a father accused of sexual abuse by his daughter cast doubt on the validity of “recovered memories,” which were central to the daughter's accusations.

Colin Ferguson, A Fool for a Client? — Though obviously mentally ill, the perpetrator of the 1993 Long Island Railroad massacre adequately represented himself in a trial that found him guilty of several counts of murder.

Ralph Tortorici, A Question of Competence — In 1996 a mentally disturbed university student took 35 fellow students hostage, injuring two. Judged competent to stand trial and convicted of all charges, Tortorici committed suicide in prison, reopening debate over his mental competence.

Mike Tyson, Predicting the Violence of a Professional Fighter — This evaluation of Tyson's psychiatric status, ordered after he bit off a piece of Evander Holyfield's ear, determined whether Tyson was too dangerous to be allowed in a boxing ring.

Daryl Atkins, Mental Retardation, Decency and the Death Penalty — This 1996 case involving a mentally retarded man found guilty of robbery and murder prompted a Supreme Court ruling that barred sentencing the mentally retarded to death.

Andrea Yates, An American Tragedy — This tragic case outraged and horrified the public, but the authors say killer Andrea Yates may not have been treated fairly in the trial that found her guilty of murdering her five children.

Michael Kantaras, What Makes a Man a Man? — In this strange divorce and child-custody case, the court sided with psychological evidence showing that a person born a woman was now a man, and awarded him primary custody of an adopted child and a child conceived through artificial insemination.